

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RAMEL SANDERS and ANTERO SARREAL, on
behalf of themselves and all others similarly
situated,

Plaintiffs,

-against-

HOUSLANGER AND ASSOCIATES, PLLC;
TODD E. HOUSLANGER; VIRGO CAPITAL,
LLC; AQUARIUS CAPITAL, LLC; and DOE
COMPANIES 1-10.

Defendants.

No. 17 Civ. 8985 (DC)

DECLARATION OF MATTHEW D. BRINCKERHOFF

MATTHEW D. BRINCKERHOFF, an attorney duly admitted to practice in the Southern District of New York, declares, pursuant to 28 U.S.C. § 1746, as follows:

1. I am a partner in the law firm Emery Celli Brinckerhoff & Abady LLP, attorneys for Plaintiffs in the above-captioned matter. I submit this declaration in support of Plaintiffs' Motion for Leave to Amend the Complaint and Add a Party. A copy of the proposed amended complaint is attached as Ex. 1.

2. This action was commenced on November 16, 2017. Since then, the parties have exchanged information and documents and communicated substantively in an attempt to resolve the case. During this period, the parties have stipulated to extend Defendants' time to respond to the Complaint and Defendants have agreed to refrain from further collections activities of the sort that are challenged in this case.

3. On or about June 22, 2018, while the parties were engaged in settlement negotiations, Defendants served Plaintiffs Sanders and Sarreal with Offers of Judgment pursuant to Fed. R. Civ. P. 68 by regular mail.

4. On July 9, 2018, Plaintiffs Sanders and Sarreal accepted those offers of judgment. *See* Dckt. Nos. 32-33.

5. Judgment has not been entered with respect to Plaintiffs Sanders and Sarreal.

6. Plaintiffs now seek leave to amend the complaint and add a new party plaintiff who will continue to pursue the relief sought in this putative class action on behalf of himself and others similarly situated.

7. I declare under penalty of perjury that the foregoing is true and correct.

Dated: July 11, 2018
New York, New York

/s/
MATTHEW D. BRINCKERHOFF